App. F. IX-4

Previous References

L.S. 22-84 (285
" 26-26 (44, 62 ...
Letter References. 137)
L.S. 28-37 (184)

1936-7
(41)

File No. 126-86
Serial Nos. 1 & 2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for June 1937

SUBJECT.

Bye-laws framed by the Shimoga District Board for the control of Public Slaughter-Houses, Hotels and Eating Houses.

8(2) To the D.C. Shimoga Dt.
" Civil Surgeon
No. L 8611-13 dt 2-6-37

Sends the Bye-laws framed by the Shimoga Dt. Bd for regulating Hotels & Eating Houses

W.A. Rabow 7/6/37

WD 0419—GPB—22,500—29-9-36

Bye-laws framed by the Shimoga Dt. Board for the control of Public Slaughter Houses Hotels and Eating Houses

1271

General and Revenue Secretariat LB File No. 126 of 1936.37. L [App. F. III—2

Serial No.

Letter No M3. Ds 72/36 dated 16th March 1937 from the D. C. Shimoga, submitting for sanction the draft Bye-laws framed by the Shimoga Dt. Board for the control of Public Slaughter Houses, (Meat stalls) Hotels and Eating houses.

Subs:

1) These Bye-laws are purported to have been framed under Sec 57 (1) (a) of the Dt. Board Regn. of 1926 for the control of Public Slaughter Houses (meat stalls) Hotels ~~and~~ or Eating Houses.

Kind reference is invited to notn no L4652 ~~1937~~, LB 26-26-136 dated 17th Jan: 1937 declaring certain trades and Professions as Offensive and dangerous under section 30 (1) of the V. P. Regn. The Dy: Comr in Para 3) of the P. U. D. has stated that the proposed Bye-laws framed by the Board so far as it relates to "Mutton-stalls" cannot be made to apply to Village Panchayets ~~as Section 30~~ since trading in Mutton is declared to be Offensive and that Section 30 (1) of the V. P. Regn gives power to the V. P. Chairman to grant license subject to certain conditions to the ~~license~~ imposed in the license

2) Bye-laws of the same kind have been

OTE—Contn. Sheet.

D 0417—GPB—80,000—8-9-36

framed by the Chitaldrug Dt Board and Govt have approved these Bye-laws including those relating to #"~~Slaughter Houses~~" (~~Abattoir Stalls~~) "Meat stalls" taking the view that the licensing Provision under section 30(1) of the V.P. Regn is not in any way inconsistent with the Proposed Bye-laws of and both of them may work harmoniously.

3) It is a point for consideration that if jurisdiction of the Dt Bd over "Meat-stalls" situated with in the Village Panchayets areas is taken away, whether any useful purpose would be ~~served~~ served by the Bye-laws framed by the Shimoga Dt Board for regulating "meat-stalls"

4) It is also a point for consideration whether the Proposed draft Bye-laws framed by the Board regarding Hotels and Eating Houses can be made to apply to Hotels and Eating Houses situated within the Village Panchayat area. Next reference is invited to Sec 55 of the Dt Board Regn. which states that subject to the provisions of the V.P. Regn. it shall be lawful for a Dt Board to notify that no place within the area under

X — Flag E (in addition L13 22-34-225)

5811/36

Bye-laws framed by the Shimoga Dt. Bd. for the Contl of "Slaughter Houses" Hotels and Eating Houses etc 4271

General and Revenue Secretariat — File No. 126 of 1936/37. — [App. F. III—2

Serial No.

its authority shall ..... be used for any of one or more of the purposes specified in Schedule II without a license from the President of the Board etc. The Bye-laws framed by the Dt. Board ~~are for~~ under section 57(1) of the Dt. Bd. Regn. cannot perhaps be applied to Village Panchayets as section 55 of the same Regn. excludes such a thing being done.

5) The Dt. Board can perhaps frame ~~frame~~ suitable Bye-laws for regulating weekly Shanois or markets and Jatras held under its authority and the Bye-laws now proposed may not serve any useful purpose since there can hardly be ~~any~~ any Hotels or Eating Houses etc with the name that can come under its jurisdiction.

6) The Law Section, if approved, will be Consulted in the first instance.

Dll for 7/4/37.

Yes please 7/4/37

Law Section for 7.4.37

Law 7.4.37

Here power vested in the District Board under section 55 of the

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—8-9-36

Serial No.

District Boards Regulation is subject to the provisions of the village panchayat Regulation. It follows therefore that in respect of matters mentioned in Section 55, the jurisdiction of the District Board is ousted, when the Village panchayat is empowered to act Regarding the shops for the sale of meat, Government have declared under Section 30 of the Village panchayat Regulation that it is a dangerous or offensive trade, and that according to that Section, a license must be obtained from the panchayat before the place is used for such a trade. When the Village panchayat is thus empowered to grant license for meat shops within the area under its authority, the District Board also cannot exercise similar authority over the same area. Otherwise there will be a clash of interests between the two local bodies and it seems to me that it is first with an object of preventing such a clash that in Sec. 55, the power of the District Board is made subject to the provisions of the Village panchayat Regulation

(2) Thereon as noted at

Bye-laws framed by the Shimoga D.B. for the Control of Meat Stalls, Hotels & Eating Houses.

General and Revenue Secretariat | LB File No. 126 of 1936-37 | 4291 | [App. F. III—2

Serial No.

by the Deputy Commissioner, one of the provisions of the proposed bye-laws of the District Board is also inconsistent with the conditions of the license to be granted by the village panchayat. The G.O. of 1927 directs that it is unnecessary for the village panchayat to renew the license every year or to charge any special fee therefor, as the panchayat cannot levy a tax under Sec. 36 of the V.P. Regulation. But the proposed bye law of the District Board (Bye law no. 11 re. Mutton Stalls) is to the effect that the right to sell mutton in shops every year may be disposed of by public auction.

In these circumstances, I think

A | that Sanction may perhaps be withheld in respect of bye-laws relating to Mutton Stalls.

BKD
29.4.37

Asst. Secy
L.S.G.
W.C.

Please see me
SS
29/4/37

I agree. | The Law opinion at A may perhaps be accepted and Sanction accorded only in respect of bye-laws relating to Hotels and Eating-houses.

UG
5/5/37

Dep. Secy

(Second M)

UG
7/5/37

DLM
8/5/37

UG
7/5/37

8/5/37

OFFICE OF THE SECOND MEMBER OF COUNCIL.
No. 8024 1937

NOTE—Contn. Sheet.

WD 0417--GPE—30,000—4-1936.

Bye-laws framed by the Shimoga Dt. Bd for regulating Hotels and Coffee-Houses.

File No. 4271/2 of 193

General and Revenue Secretariat

Serial No.

4) A draft G.O. approving of the Bye-laws framed by the Board in respect of Hotels & Eating Houses is put up for approval.

Dy Secy 15/5/37.

The D.C. Shimoga Dt
The Dr of Health
The Comptroller to Govt
Nos 4 86 11-13 dated 3/6/37

Sanctions the Bye-laws framed by the Shimoga Dt. Bd for regulating Hotels and Coffee Houses.

5/6/37

LB. 126-36-1

No. MD. D. B. 72/36.
Enc:- 6.

Office of the Deputy Commissioner,
Shimoga District,
Dated Shimoga, 16th March 1937.

4271
I

From

S.Narayana Rao, B.Sc., B.A., (Hons)
Deputy Commissioner,
Shimoga District.

GEN. & REV. SECTT.
18 MAR. 1937
L.S. & BRANCH.

To

M. Venkatanarappa, Esq., B.A.,
Secretary to Government,
Development Department,
Bangalore.

Sir,

Subject:- Byelaws framed by the Shimoga District Board for the control of public slaughter houses & of hotels and Eating houses.

In forwarding herewith letter No.C. 292/I.B.34-35 dated the 15th December 1936 received from the President, District Board of Shimoga submitting for sanction of Government draft byelaws framed by the District Board for the control of Public slaughter houses and of Hotels and Eating Houses, I have the honour to observe as follows :-

2. The draft byelaws have been framed under Section 37 (1) (a) of the District Board Regulation, sending copies of the same to the Gazette for publication for inviting suggestions or objections thereto and as no objections were received, the District Board therefore resolved to obtain sanction of Government to the adoption off the byelaws.

3 Under Section 55 of the District Board Regulation, it is lawful for a District Board subject to the provisions of the Village Panchayet Regulation to notify that no place within the area under its authority shall be used for any one or more of the purposes specified in Schedule II of the Regulation without a license from the President of the District Board and according to Schedule II (a) no premises may be used without a license as a slaughter house or as a shop for sale of animals intended for human food or of meat or fish. Whereas as per section 30 of the Village Panchayet Regulation also, [illegible] the

SHIMOGA DISTRICT BOARD.

*****

U)(a)

Bye-laws made by the District Board under Section 57 of the District Board Regulation 1926 with regard to places within the area of its authority which cannot be used for purposes mentioned in Schedule II without a license.

Hotels or Eating houses

1. No premises shall be used as a ~~Dairy~~, Hotel, Restaurant, Eating-house, Coffee-house, Sweet-meat shop, ~~Bakery or for manufactur-ing ice or aerated waters~~ without a license from the President, District Board.

2. Any eating house or hotel includes any houses or place where cooked rice, mutton, beef, poultry, vegetables, dhal, and confectioner or refreshments including cakes, upma, tea, coffee, etc., are prepared and kept for sale.

3. Any person who shall appear ~~to~~ act or behave as the person in charge of any premises used for any of the said purposes shall be deemed ~~be~~ taken to be the keeper or manager thereof.

4. All eating houses and hotels shall satisfy the following conditions:-

(a) All premises used as such shall be sufficiently spacious and suitable for the purpose.

(b) The water used in the premises for drinking purposes shall be from an approved source and shall be kept clean and free from floating impurities in a suitable and covered clean receptacle placed in a clean place, a foot above the ground level.

(c) Kitchen and bath rooms shall be well ventilated and provided with proper smoke vents, so that smoke may not pervade into other dwelling houses. All rooms shall be well lighted and ventilated.

5. The properitor or the person in charge shall not allow persons to dine in any other place but the dining halls.

6. All utensils and other furniture shall be kept clean and all metallic vessels used in the cooking or for keeping food stuffs shall have a continual lining of tin, and no lead vessels of any sort shall be used for any purpose. All reasonable precautions shall be taken to preserve cooked food, pasty sweetmeants, confectionery or preserved, dried or cut fruit intended for human consumption ~~from contamination~~ from contamination from flies, dust and bad odours.

7. No foodstuff of any sort shall be stored or exposed for sale in the premises, which is stale, unwholesome, offencive or in any way unfit for human consumption.

8. All refuse and dirt in and about the premises shall be swept off and the drains well flushed and the premises at all times maintained in a clean and tidy condition.

9. No person suffering from a contagious or an infections or a loathsome disease or who has recently been in attendance on such person or who is unwashed or otherwise unclean, shall be employed in an eating house.

10. All premises and all cooked and ~~uncooked~~ uncooked food~~stuffs~~ stuffs and vessels shall at all times be open to inspection by the President, the Vice President, the Sub-Assistant Surgeon or the Officer authorised on their behalf.

11. All cases of dangerous infectious disease such as cholera, plague,

plague, eruptive fevers such as small-pox, chicken-pox, measles and fevers of more than seven days' duration shall be notified to the President, forthwith.

12. Any infringement of any of the above bye-laws shall render the offender liable, on conviction, to a fine not exceeding Rs. 20/- and to a further fine not exceeding Rs. 2/- for every day after such conviction during which such infringement continues, provided that the total amount of the fine shall not exceed Rs. 100/-.

13. The President or the Vice President may at his discretion cancel the license for persistent infringement of the above bye-laws.

14. The following rates of fees are charged for licenses issued under these bye-laws:-

(1) As Hotel or Eating house etc., Rs. 5-0-0.

(2) As place for manufacturing ice or aerated waters. Rs. 5-0-0.

President,
District Board, Shimoga.

Secretary to Govt
Dev Dept
15/5/37

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary. No. of letter replied to.....

General and Revenue Secretariat

( )

the *193* .

Date of issue..... ...193.

Signed by .....

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

Section L&B

File No. 126-36-

Serial No.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Letter no M3 D3 72/36 dated 16th March 1937 from the D.C. Shimoga Dt. Submitting for sanction the draft Bye-laws framed by the Shimoga Dt. Board under Sec 57 (1) (a) of the Dt. Bd. Regn. 1926 for the ~~Order thereon—No.~~ Control of public Meat Slaughter-houses, Stalls, Hotels and Eating houses situated within the Jurisdiction of the Board.

Order no: L. 8611-13

The Bye-laws as appended to this order in respect of Hotels and Eating Houses are approved

2) The Bye-laws framed

in respect of Mutton Stalls

by the Dh Board Cannot be
Sanctioned, Since the jurisdiction.....
..... of the Board will be Concurrent
with the Powers of the Village
Panchayets under Sec 30(1)
of the U.P. Regn. 1926.

MW.

Secy to Govt.
Dev Deptt.
15/5/37

The ~~Distt.~~ ~~Dr.~~ D.C. Shimoga Dt. } wins a copy of the Bye-laws
The Dr. of Health
The Comptroller to Govt

List of Enclosure

Copied by

Examined by

WD 03602—GPB - 22,500—12-7-35

Office copy

Bye-Laws made by the District Board under Section 77 (1)(-) of the District Board Regulation 1920 with regard to places within the area of its authority which cannot be used for purposes mentioned in Schedule II without a license.

Hotels or Eating Houses.

1. No premises shall be used as a Hotel, Restaurant, Eating-house, coffee-house, Sweet-meat shop, without a license from the president, District Board.

2. An eating house or hotel includes any house or place where cooked rice, Mutton, beef, poultry, vegetables, dhal, and confectionery or refreshments including rice cakes, appam, tea, coffee, etc., are prepared and kept for sale.

3. Any person who shall appear, act, or behave as the person in charge of any premises used for any of the said purposes shall be deemed and taken to be the keeper or manager thereof.

4. All eating houses and hotels shall satisfy the following conditions:-

(a) All premises used as such shall be sufficiently spacious and suitable for the purpose.

(b) The water used in the premises for drinking purposes shall be from an approved source and shall be kept clean and free from floating impurities in a suitable and covered clean receptacle placed in a clean place, 2 feet above the ground level.

(c) Kitchen and bath rooms shall be well ventilated and provided with proper smoke vents, so that smoke may not pervade into other dwelling houses. All rooms shall be well lighted and ventilated.

5. The proprietor or the person in charge, shall not allow persons to dine in any other place but the dining halls.

6. All utensils and other furniture shall be kept clean and all metallic vessels used in the cooking or for keeping food stuffs shall have a continual lining of tin ~~or for keeping food stuffs shall have a continual lining of tin~~, and no lead vessels of any sort shall be used for any purpose. All reasonable precautions shall be taken to preserve cooked food, pasty sweetmeats, confectionery or preserved, dried or cut fruit intended for human consumption from contamination from flies, dust and bad odours.

7. No foodstuff of any sort shall be stored or exposed for sale in the premises, which is stale, unwholesome, offensive or in any way unfit for human consumption.

8. All refuse and dirt in and about the premises shall be be swept off and the drains well flushed and the premises at all times maintained in a clean and tidy condition.

9. No person suffering from a contagious or an infectious or a loathsome disease or who has recently been in attendance on such person or who is unwashed or otherwise unclean, shall be employed in eating house.

10. All premises and all cooked and uncooked foodstuffs and vessels shall at all times be open to inspection by the President, the Sub-Asst surgeon, or the officer authorised on their behalf.

11. All cases of dangerous or infectious diseases such as cholera, plague, eruptive fevers such as small-pox, chicken-pox measles and fevers of more than seven days duration shall be notified to the President, forthwith.

12. Any infringement of any of the above by-laws shall render the offender liable, on conviction, to a fine not exceeding Rs. 20/- and to a further fine not exceeding Rs. 5/- for every day after such conviction during which such infringement continues, provided that the total amount of the fine shall not exceed Rs. 100/-